

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re, BERNADETTE C RAINES, Debtor, DIANE G. MORRIS, Movant, v. BERNADETTE C RAINES, and KENNETH E. WEST, Trustee, Respondents.	Bankruptcy No. 23-11627-pmm Chapter 13 Document No.
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, Diane G. Morris (the “Movant”), by and through her undersigned counsel, Lopez Thompson, Esq., and files this Motion for Relief from the Automatic Stay (the “Motion”), representing as follows:

THE PARTIES

1. Respondent, Bernadette C Raines, (the “Debtor”), is an adult individual with a place of residence located at 2023 Snyder Avenue. Philadelphia, PA 19145.
2. Kenneth E. West, is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.

JURISDICTION AND VENUE

3. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

FACTUAL BACKGROUND

4. On or about June 1, 2023, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code.

5. On or about March 19th 2009, the Movant here, was the injured party in a motor vehicle accident in the City and County of Philadelphia, Pennsylvania.

6. **The Motor vehicle accident left this Movant with severe injuries including but not limited to two broken feet, both knees shattered and a broken arm.**

7. Respondent was uninsured at the time of the accident.

8. This Movant incurred over one million dollars of medical bills after having numerous surgeries as well as suffering extreme pain and suffering.

9. Respondent was found to be legally responsible for the injuries caused to Movant.

10. On November 14th 2012, a judgment was entered in the Philadelphia Court of Common Pleas in favor of this Movant and against this Respondent here in the amount of One Million Dollars (\$1,000,000.00).

11. The respondent has never paid anything towards that Judgment since November 14th 2012.

12. The Respondent has never contacted the Movant here to enter into any type of payment agreement.

13. The proposed plan fails to provide of any adequate payment to Movant.

14. The Movant had scheduled a sheriff sale of the property known as 2023 Snyder Avenue, Philadelphia, Pa 19145 with the Sheriff of Philadelphia County for June 8th 2023.

15. The Movant will lose money if she is required to wait until the Bankruptcy ends to foreclose on Respondent's real property. The Gross amount due for this secured debt is well over One Million Dollars(\$1,000,000.00).

16. The Fair Market Value of the real property known as 2023 Snyder Avenue, Philadelphia, Pa. and owned by Respondent is approximately \$210,000.00.

17. Movant is entitled to relief from the automatic Stay for cause , including lack of adequate protection.

18. Movant's relief sought will not hinder the Respondent's effective reorganization

WHEREFORE, Movant, Diane G. Morris respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to the 2023 Snyder Avenue, Philadelphia, PA. 19145

Respectfully submitted,

By:
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Dated: October 11th, 2023

Counsel for Diane G. Morris

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re, BERNADETTE C RAINES, Debtor, DIANE G. MORRIS, Movant, v. BERNADETTE C RAINES, and KENNETH E. WEST, Trustee, Respondents.	Bankruptcy No. 23-11627-pmm Chapter 13 Document No.
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ORDER OF COURT

AND NOW, this ____ day of _____, 2023, upon consideration of the foregoing Motion for Relief from the Automatic Stay, it is hereby ORDERED,

- a. Relief from the Automatic Stay is granted as to 2023 Snyder Avenue
- b. The stay provision of Fed. R. Bankr. P. 4001(a)(3) does not apply to this order

BY THE COURT:

Honorable Patricia M. Mayer
U.S. Bankruptcy Court Judge

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

MORRIS : AUGUST TERM, 2010
: :
: NO. 0953
: :
v. :
: :
RAINES, ET AL : :

ORDER

AND NOW, this *4th* day of *Nov.*, 2012, upon consideration of the September 15, 2010 judgments by default entered against Defendants Khalil Raines and Bernadette Raines, in favor of Plaintiff Diane G. Morris, and after presentation of evidence at an assessment of damages hearing on November 5, 2012, it is hereby **ORDERED** and **DECREED** that judgment is entered in favor of Plaintiff Diane G. Morris, and against Defendants Khalil Raines and Bernadette Raines, jointly and severally, in the amount of One Million Dollars (\$1,000,000.00).

Morris Vs Raines Etal-ORDER




**DOCKETED
COMPLEX LIT CENTER**

NOV 15 2012

J. STEWART

BY THE COURT:


WILLIAM J. MANFREDI, J.



📍 2023 SNYDER AVE

PHILADELPHIA, PA 19145-2811

Owner

RAINES BERNADETTE

OPA Account Number

481134500

Mailing Address

2023 Snyder Ave
Philadelphia PA 19145-2811

Property assessment and sale information

Assessed Value	\$174,400
Sale Date	02/23/2014
Sale Price	\$1

Office of Property Assessment (OPA) was formerly part of the Board of Revision of Taxes (BRT) and some City records may still use that name. Source: [Office of Property Assessment \(OPA\)](https://www.phila.gov/opa/pages/default.aspx).

<https://www.phila.gov/opa/pages/default.aspx>

Valuation History (10)

Taxable and exempt land values can represent the contributory value of land in relation to the total market value, or where no structure is present, the value of vacant land. (Consistent with International Association of Assessing Officers (IAAO) standards, the value of an improved parcel is separated into the portion of value attributed to the improvement and the portion of value attributed to the land.)

Year	Market Value	Taxable Land	Taxable Improvement	Exempt Land	Exempt Improvement
2024	\$174,400	\$34,880	\$59,520	\$0	\$80,000
2023	\$174,400	\$34,880	\$59,520	\$0	\$80,000
2022	\$95,200	\$18,088	\$32,112	\$0	\$45,000
2021	\$95,200	\$18,088	\$32,112	\$0	\$45,000

2020	\$95,200	\$18,088	\$32,112	\$0	\$45,000
2019	\$88,500	\$16,815	\$31,685	\$0	\$40,000
2018	\$68,700	\$13,053	\$55,647	\$0	\$0
2017	\$68,700	\$13,053	\$55,647	\$0	\$0
2016	\$68,700	\$9,900	\$58,800	\$0	\$0
2015	\$69,100	\$9,900	\$59,200	\$0	\$0


Sales History (1)

Date	Adjusted Total	Grantees	Grantors	Doc Id
02/24/2014	\$1	RAINES BERNADETTE	RAINES HILDA	52824249

Property Details

Property characteristics described below are included for convenience, but may not reflect the most recent conditions at the property. For all property questions, **submit an official inquiry**

(https://opainquiry.phila.gov/opa.apps/help/PropInq.aspx?acct_num=481134500) or call OPA at (215) 686-9200 (tel:+12156869200).

Year Built	1925 (estimated)
Building Description	ROW TYPICAL
Building Condition	Average
Number of Stories	2 stories
Number of Rooms	Not Available
Features	Full basement No fireplace No garage
Heating and Utilities	Heater type n/a No central air Sewer type n/a
Lot Size	825 sq ft
Improvement Area	1,206 sq ft
Frontage	15 ft
Beginning Point	165'W 20TH ST
Zoning	CMX2-Neighborhood Commercial Mixed-Use-2  (https://atlas.phila.gov/2023%20SNYDER%20AVE/zoning .)
OPA Account Number	481134500
OPA Address	2023 Snyder Ave
Homestead Exemption	Yes

Local Details

Political Divisions	Ward: 48th Council District: 2nd http://atlas.phila.gov/2023 SNYDER AVE/voting
School Catchment	Elementary: Girard, Stephen Middle: Universal Institute Charter School at Vare, EH HS: Universal Institute Charter School at Audenried https://webapps1.philasd.org/school_finder/
Police District	1st District https://www.phillypolice.com/districts/1st/index.html
Trash Day	Unavailable https://www.phila.gov/services/trash-recycling-city-upkeep/residential-trash-and-recycling/find-your-trash-and-recycling-collection-day/#/
L&I District	SOUTH
Census Tract	003701

You can download the property assessment dataset in bulk, and get more information about this data at metadata.phila.gov <https://metadata.phila.gov>

Note: Taxable and exempt land values can represent the contributory value of land in relation to the total market value, or were no structure is present, the value of vacant land. (Consistent with International Association of Assessing Officers (IAAO) standards, the value of an improved parcel is separated into the portion of value attributed to the improvement and the portion of value attributed to the land.)